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FOLEY AND LARDNER LLP  
SUITE 500  
3000 K STREET NW  
WASHINGTON, DC 20007

EXAMINER

VANTERPOOL, LESTER L

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/762,556	<b>Applicant(s)</b> RUMBERGER ET AL.	
	<b>Examiner</b> Lester L. Vanterpool	<b>Art Unit</b> 3727	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>June 23, 2004</u> . | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 10 & 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shikler (U.S. Patent Number 5329947) in view of Drew (U.S. Patent Number 5762246). Shikler discloses the base (24) configured to be attached to a passenger compartment side portion of a vehicle roof; and wherein the portable member (36) is configured to releasably engage with the base (24). See Figures 3 & 1A.

However, Shikler does not disclose the portable member (36) including at least one pocket.

Drew teaches the portable member (2) includes at least one pocket (6 & 8) (See Figures 1 & 5) for the purpose of storing personal items. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to make at least one pocket as taught by Drew with the storage compartment of Shikler in order to enhance multi-functional capabilities.

Regarding claim 2 as stated above, Drew discloses the pocket (6 & 8) is configured to receive at least one of a CD, a DVD, a mini-disc, and a cassette therein (column 3, line 14 – 18) (See Figure 1) for the purpose of storing personal items. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to make the pocket configured to receive at least one CD, a DVD, a mini-disc and a cassette as taught by Drew with the storage compartment of Shikler in order to enhance storage capabilities.

Regarding claim 3 as stated above, Drew discloses at least one pocket (6 & 8) includes the plurality of pockets (6) aligned one upon the other in an offset manner such that a portion of each pocket (6) is exposed relative to a consecutive pocket (6) (See Figure 1) for the purpose of organizing and maximizing space requirements. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make at least one pocket include the plurality of pockets aligned one upon the other in an offset manner such that a portion of each pocket is exposed relative to a consecutive pocket as taught by Drew with the storage compartment of Shikler in order to enhance external visibility, organization, and ergonomics.

Regarding claim 4 as stated above, Drew discloses the portable member includes the storage pouch (8) (See Figures 1 – 3 & 5) for the purpose of securing personal items. It would have been obvious to one ordinary skilled in the art at the time the invention was made to make the portable member include a storage pouch as

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taught by Drew with the storage compartment of Shikler in order to enhance security of selective personal items.

Regarding claim 5 as stated above, Drew discloses the storage pouch (8) comprises of the mesh material (column 3, line 43 – 45) (See Figures 1 & 2) for the purpose of external visibility. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the storage pouch comprise of mesh material as taught by Drew with the storage compartment of Shikler in order to enhance external visibility.

Regarding claim 6 as stated above, Shikler discloses the cover (12) coupled to the base (24). See Figures 1, 1A, & 3.

Regarding claim 7 as stated above, Shikler discloses cover (12) is moveable between the open position and the closed position. See Figure 2A, 2B, & 3.

Regarding claim 8 as stated above, Shikler discloses the cover (12) is configured to extend from the first end of the base (24) to the second end of the base (24) when the cover (12) is in the closed position. See Figure 2A.

Regarding claim 9 as stated above, Shikler disclosed at least one pocket (14) and the cover (12) is configured to substantially cover the pocket (14) when the cover (12) is in a closed position See Figure 2A & 2B.

However, Shikler does not disclose a plurality of pockets. Drew discloses the plurality of pockets (6). See Figures 1 – 3, & 5 for the purpose of transporting multiple personal items at the same time. It would have been obvious to one having ordinary skill in the art the time the invention was made to make the plurality of pockets at taught by Drew with the storage compartment of Shikler in order to increase the number of personal items stored.

Regarding claim 10 as stated above, Shikler discloses the cover (12) is rotatably coupled (42) to the base (24) (column 2, line 49 – 52). See Figure 1A.

Regarding claim 34 as stated above, Shikler discloses the vehicle including the storage compartment (column 2, line 64). See Figure 3.

3. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shikler (U.S. Patent Number 5329947) in view of Drew (U.S. Patent Number 5762246) as applied to claim 6 above, and further in view of Fu (U.S. Patent Publication Number 2004 / 0154204 A1). Shikler and Drew disclose the invention substantially as claimed.

However, Shikler and Drew do not disclosed the cover is slidably coupled to the base.

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Fu teaches the cover (50) is slidably coupled to the base (24) (paragraph 0049) (See Figure 1) for the purpose of easy opening and closing. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the cover slidably coupled to the base as taught by Fu with the storage compartment of Shikler in order to enhance opening and closing.

3. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shikler (U.S. Patent Number 5329947) in view of Drew (U.S. Patent Number 5762246) as applied to claim 6 above, and further in view of Marcus et al., (U.S. Patent Number 4469365). Shikler and Drew disclose the invention substantially as claimed.

However, Shikler and Drew do not disclose the cover coupled to the base by a hinge attached therebetween.

Marcus et al., teaches the cover (24) being coupled to the base (12) by the hinge (30) attached therebetween (See Figures 1 & 3) for the purpose of permitting easy access to the articles contained. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the hinge attached therebetween as taught by Marcus et al., with the storage compartment of Shikler in order to enhance easy accessibility.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shikler (U.S. Patent Number 5329947) in view of Drew (U.S. Patent Number 5762246) as

applied to claim 1 above, and further in view of Singh et al., (U.S. Des. 369,777).

Shikler and Drew disclose the invention substantially as claimed.

However, Shikler and Drew do not disclose the base includes an elastic strap configured to extend from the first end of the base to the second end of the base.

Singh et al., teaches the base includes an elastic strap configured to extend from the first end of the base to the second end of the base (See Claim) (See Figures 3 & 4) for the purpose of adequately retaining and securing personal items to the vehicle. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the base include elastic straps as taught by Singh et al., with the storage compartment of Shikler in order to enhance multi-functional capabilities.

4. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shikler (U.S. Patent Number 5329947) in view of Drew (U.S. Patent Number 5762246) in view of Singh et al., U.S. Des. 369,777) as applied to claim 13 above, and further in view of Abeyta, Jr., et al., (U.S. Patent Publication Number 2002 / 0125154 A1). Shikler, Drew and Singh et al., discloses the invention substantially as claimed. Drew discloses the plurality of pockets (6) configured to receive at least one of a CD, a DVD, a mini-disc, and a cassette therein (column 3, line 14, 18). See Figures 1 – 3 & 5.

However, Shikler, Drew and Singh et al., do not disclose the strap configured to retain at least one CD, a DVD, a mini-disc, and a cassette in the plurality of pockets.

Abeyta Jr., et al., teaches strap (34 / 38) is configured to retain at least one the CD. It would have been obvious to one ordinary skill in the art at the time the invention



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was made to make the strap configured to retain at least the CD as taught by Abeyta, Jr., et al., with the storage compartment of Shikler in order to prevent movement.

5. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shikler (U.S. Patent Number 5329947) in view of Drew (U.S. Patent Number 5762246) as applied to claim 1 above, and further in view of Hironori and Misao (Japan Patent Number 2002 – 240636 A). Shikler and Drew substantially disclose the invention as claimed.

However, Shikler and Drew do not disclose the vehicle roof includes an interior portion having a surface facing generally toward a passenger compartment, and wherein the base is configured to be recessed within the interior portion such that a surface of the base is substantially coplanar with the surface of the interior portion when the base is attached to the roof.

Hironori and Misao teaches the vehicle roof (10) includes an interior portion having a surface facing generally toward the passenger compartment (See Figure 1), and wherein the base (32) is configured to be recessed within the interior portion such that the surface of the base is substantially coplanar with the surface of the interior portion when the base is attached to the roof (See Figure 3) for the purpose of providing interior appeal.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the base is configured to be recessed within the interior

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portion as taught by Hironori and Misao with the storage compartment of Shikler in order to enhance interior appeal.

6. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shikler (U.S. Patent Number 5329947) in view of Drew (U.S. Patent Number 5762246) as applied to claim 1 above, and further in view of Littlejohn et al. (U.S. Patent Number 5377680). Shikler and Drew disclose the invention substantially as claimed.

However, Shikler and Drew do not disclose the base comprising of a polymeric material.

Littlejohn et al., teaches the base comprises polymeric material (column 3, line 47 – 48) for the purpose of providing durability. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the base comprising polymeric material as taught by Littlejohn et al., with the storage compartment of Shikler in order to enhance product durability.

7. Claims 17 – 19 & 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shikler (U.S. Patent Number 5329947) in view of Drew (U.S. Patent Number 5762246) as applied to claim 1 above, and further in view of Sobieski et al., (U.S. Patent Number 6135528). Shikler discloses the base (24) includes the front surface configured to releasably engage with the portable member (36) (column 2, line 43 – 47) (See Figures 1 & 1A).

However, Shikler does not disclose a rear surface configured to be attached to the vehicle roof.

Sobieski et al., teaches the rear surface (38) configured to be attached to the vehicle roof (12) (See Figure 1) for the purpose of providing interior finish appeal. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make rear surfaces configured to be attached to vehicle roof as taught by Sobieski et al., with the storage compartment of Shikler in order to enhance product versatility and interior finish appeal.

Regarding claim 18 as stated above, Sobieski et al., discloses the rear surfaces (38) includes an attachment mechanism (22 & 39) to attach the base (38) to the vehicle roof (12) (column 2, line 62 – 67) (See Figures 1 – 2 & 6) for the purpose of adequately anchoring and securing. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the rear surface include attachment mechanisms to attach the base to the vehicle as taught by Sobieski et al., with the storage compartment of Shikler in order to enhance anchoring.

Regarding claim 19 as stated above, Sobieski et al., discloses the attachment mechanism (22 & 39) includes an aperture (39) to receive a screw (column 2, line 62 – 64) (See Figures 1 – 2 & 6) for the purpose of adequately anchoring and securing. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make attachment mechanism include an aperture to receive a screw as

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taught by Sobieski et al., with the storage compartment of Shikler in order to enhance anchoring and minimize movement.

Regarding claim 22 as stated above, Sobieski et al., discloses the attachment mechanism includes at least one elongated locating member (22) projecting outwardly from the base (38) and configured to engage with a corresponding aperture disposed on the vehicle roof (12) (column 2, line 64 – 67) (See Figures 1 – 2 & 6) for the purpose of stabilizing and anchoring. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the attachment mechanism include at least one elongated locating member projecting outwardly from the base and configured to engage with the corresponding disposed on the vehicle roof as taught by Sobieski et al., with the storage compartment of Shikler in order to enhance stabilizing and anchoring.

8. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shikler (U.S. Patent Number 5329947) in view of Drew (U.S. Patent Number 5762246) in view of Sobieski et al., (U.S. Patent Number 6135528) as applied to claim 18 above, and further in view of Miller et al., (U.S. Patent Number 6176536). Shikler, Drew and Sobieski et al., disclose the invention substantially as claimed.

However, Shikler, Drew and Sobieski et al., do not disclose the attachment mechanism comprises at least one interlocking clip configured to engage with a corresponding clip disposed on the vehicle roof.

Miller et al., teaches the attachment mechanism comprises at least one interlocking clip (74 & 78) configured to engage with the corresponding clip (80) disposed on the vehicle roof (column 5, line 49 – 55) (See Figure 1) for the purpose of anchoring. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the attachment mechanism as taught by Miller et al., with the storage compartment of Shikler in order to adequately anchor and prevent movement.

9. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shikler (U.S. Patent Number 5329947) in view of Drew (U.S. Patent Number 5762246) in view of Sobieski et al., (U.S. Patent Number 6135528) as applied to claim 18 above, and further in view of Cater et al., (U.S. Patent Publication Number 2003 / 0098595 A1. Shikler, Drew and Sobieski et al., disclose the invention substantially as claimed.

However, Shikler, Drew and Sobieski et al., do not disclose the attachment mechanism comprises an adhesive.

Cater et al., teaches the attachment mechanism comprises an adhesive (paragraph 0029). It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the attachment mechanism comprises an adhesive as taught by Carter et al., with the storage compartment of Shikler in order to prevent movement and adequately anchor.

10. Claims 23 - 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shikler (U.S. Patent Number 5329947) in view of Drew (U.S. Patent Number 5762246) as applied to claim 1 above, and further in view of Littlejohn et al., (U.S. Patent Number 5377860). Shikler and Drew disclose the invention substantially as claimed.

However, Shikler and Drew do not disclose the base includes a lower surface and an edge portion disclosed along a periphery of the lower surface, wherein the edge portion projects outwardly from the lower surface.

Littlejohn et al., teaches the base (2) includes a lower surface (10) and an edge portion (8) disposed along a periphery of the lower surface (10), wherein, the edge portion (8) projects outwardly from the lower surface (10) (See Figures 1 – 3 & 6) for the purpose of providing storing more personal items and providing finger grip handles. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the base including a lower surface and an edge portion disposed along a periphery of the lower surface wherein the edge portion projects outwardly from the lower surface as taught by Littlejohn et al., with the storage compartment of Shikler in order to increase multi-functional capabilities.

Regarding claim 24 as stated above, Shikler discloses the base (24) including the first fastening member (40) and the surface of the portable member (36) includes the second (38) fastening members configured to releasably engage with the first fastening member (40).

However, Shikler does not disclose the lower surface of the base. Littlejohn et al., teaches the lower surface (10) of the base (2) (See Figure 1) for the purpose of increasing storage space. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the lower surface of the base as taught by Littlejohn et al., with the storage compartment of Shikler in order to increase storage capacity.

Regarding claim 25 as stated above, Shikler discloses the first (40) and the second (38) members comprise hook and loop type fasteners (column 2, line 43 – 44).

Regarding claim 26 as stated above, Shikler, Drew and Littlejohn et al., disclosed the invention substantially as claimed. However, Shikler, Drew and Littlejohn et al., do not disclose the first and second fastening members comprise of magnetic fasteners. It would have been an obvious matter of design choice to include the first and second fastening members comprising of magnetic fasteners, since applicant has not disclosed that the first and second fastening members comprise of magnetic fasteners solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with hook and loop members.

Regarding claim 27 as stated above, Shikler, Drew and Littlejohn et al., disclosed the invention substantially as claimed. However, Shikler, Drew and Littlejohn et al., do not disclose the first and second fastening members comprise of interlocking clips. It

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would have been an obvious matter of design choice to include the first and second fastening members comprising of interlocking clips, since applicant has not disclosed that the first and second fastening members comprise of interlocking clips solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with hook and loop members.

Regarding claim 28 as stated above, Shikler, Drew and Littlejohn et al., disclosed the invention substantially as claimed. However, Shikler, Drew and Littlejohn et al., do not disclose the first and second fastening members comprise of snaps. It would have been an obvious matter of design choice to include the first and second fastening members comprise of snaps, since applicant has not disclosed that the first and second fastening member comprise of snaps solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with hook and loop members.

11. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shikler (U.S. Patent Number 5329947) in view of Drew (U.S. Patent Number 5762246) in view of Littlejohn et al., (U.S. Patent Number 5377860) as applied to claim 23 above, and further in view of Houseberg (U.S. Patent 6932202). Shikler, Drew and Littlejohn et al., disclose the invention substantially as claimed.

However, Shikler, Drew and Littlejohn et al., do not disclose the edge portion of the base includes a c-channel disposed along an interior or the edge portion, and



wherein the c-channel is configured to receive a peripheral edge of the portable member.

Houseberg teaches the edge portion of the base (12) includes the c-channel (64) disposed along an interior or the edge portion, and wherein the c-channel is configured to receive a peripheral edge of the portable member (30 & 34) (column 6, line 13 – 16) (See Figures 10, 3 & 4) for the purpose of alignment. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the edge portion of the base include the c-channel disposed along an interior of the edge portion as taught by Houseberg with the storage compartment of Shikler in order to enhance alignment.

12. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shikler (U.S. Patent Number 5329947) in view of Drew (U.S. Patent Number 5762246) in view of Littlejohn et al., (U.S. Patent Number 5377860) in view of Houseberg (U.S. Patent 6932202) as applied to claim 29 above, and further in view of Ness (U.S. Patent Number 6863025), Belanger (U.S. Patent Number 2003 / 0213208) and Masaki (Japan Publication Number 08-230568). Shikler, Drew, Littlejohn et al., and Houseberg the invention as claimed.

However, Shikler, Drew, Littlejohn et al., and Houseberg to not disclose the lower surface of the base slopes upward from a first end of the base toward a second end of the base so that the peripheral edge of the portable member can be slidably received in the c-channel when the base is recesses within a portion of the vehicle roof.

Ness teaches the lower surface of the base slopes upward from the first end of the base toward the second end of the base (See Figure 6) for the purpose of allowing items to slide in a bias direction. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the lower surface of the base slopes upward from the first end of the base towards the second end of the base as taught by Ness with the storage compartment of Shikler in order to provide items to slide in a bias direction.

Belanger teaches the peripheral edge of the portable member (18) is slidable received in the c-channel (44) (paragraph 0110) (See Figure 9) for the purpose of easy alignment. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the peripheral edge of the portable member slidable received as taught by Belanger with the storage compartment of Shikler in order to enhance alignment functionality.

Masaki teaches the base recessed within the portion of the vehicle roof (See Figures 1 – 6) for the purpose of interior finish appeal. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the base recessed within the portion of the vehicle roof as taught by Masaki with the storage compartment of Shikler in order to enhance interior finish appeal.

13. Claims 31 & 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shikler (U.S. Patent Number 5329947) in view of Drew (U.S. Patent Number 5762246) and in view of Littlejohn et al., (U.S. Patent Number 5377860) as applied to claim 23

above, and further in view of Miller et al., (U.S. Patent Number 6176536). Shikler, Drew, and Littlejohn et al., disclose the invention substantially as claimed.

However Shikler, Drew and Littlejohn et al., do not disclose the edge portion comprises first and second edges disposed on opposite sides of the lower surface, wherein at least one retaining member is disposed on an upper surface of the first side edge and projects beyond the first side edge toward the second side edge, wherein the retaining member is configured to locate and retain the portable member in the base.

Miller et al., discloses the edge portion comprises first and second edges disposed on opposite sides of the lower surface (See Figure 2), wherein at least one retaining member (74 & 78) is disposed on an upper surface of the first side and projects (76) beyond the first side edge toward the second side, wherein the retaining member (74 & 78) is configured to locate and retain the portable member in the base (18) (column 5, line 37 – 48) (See Figures 2 – 5) for the purpose of easy alignment and anchoring. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the first and second side disposed on opposite sides of the lower surface, wherein at least one retaining member is disposed on an upper surface of the first side edge and project beyond the first side edge toward the second side edge as taught by Miller et al., with the storage compartment of Shikler in order to enhance alignment and anchoring.

Regarding claim 32, Miller et al., discloses the base (20) includes the first snap member (120) disposed on the lower surface near an end of the second side edge (See

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Figure 3) and the second snap member (120) disposed on the lower surface near an opposite end of the second side edge (See Figure 3), wherein the first and second snap (120) members are configured to engage with corresponding snap members (130) disposed on the portable member (See Figure 3) for the purpose of functionality. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the first and second snap member are configured to engage with the corresponding snap members disposed on the portable member as taught by Miller et al., with the storage compartment of Shikler in order to enhance security functionality.

14. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shikler (U.S. Patent Number 5329947) in view of Drew (U.S. Patent Number 5762246) as applied to claim 1 above, and further in view of Masaki (Japan Patent Publication Number 08-230568). Shikler and Drew disclose the invention substantially as claimed.

However, Shikler and Drew do not disclose the base configured to be mounted to the vehicle roof such that the storage compartment can be at least partially obscured from view by a sun visor when the sun visor is in a stored position.

Masaki teaches the base (15) configured to be mounted to the vehicle roof (13) such that the storage compartment (17) can be at least partially obscured from view by the sun visor (14) when the sun visor (14) is in the stored position (See Figures 2 & 3) for the purpose of interior finish appeal. It would have been obvious to one having ordinary skill in the art the time the invention was made to make the base configured to be mounted to the vehicle roof such that the storage compartment can be at least

partially obscured from view by the visor when the visor is in the stored position as taught by Masaki with the storage compartment of Shikler in order to enhance the interior polish finish appeal.

15. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shikler (U.S. Patent Number 5329947) in view Drew (U.S. Patent Number 5762246) as applied to claim 34 above, and further in view of Hironori and Misao (Japan Patent Publication Number 2002-240636). Shikler and Drew disclose the invention substantially as claimed.

However, Shikler and Drew does not disclose the vehicle includes a headliner extending from the roof toward a passenger compartment and defining an interior surface of the roof of the passenger compartment, and wherein the base is recessed within the headliner such that a surface of the base and a surface of the headliner are substantially flush.

Hironori and Misao teaches the vehicle (10) includes the headliner extending from the roof (12) toward the passenger compartment and defining an interior surface of the roof (12) of the passenger compartment, and wherein the base (32) is recessed within the headliner such that the surface of the base (32) and the surface of the headliner are substantially flush (See Figures 1 & 3) for the purpose of providing a polished finished interior.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the headliner extending from the roof toward the

passenger compartment and defining an interior surface of the roof of the passenger compartment wherein the base is recess within the headliner as taught by Hironori and Misao with the storage compartment of Shikler in order to enhance interior appeal.

16. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shikler (U.S. Patent Number 5329947) in view of Drew (U.S. Patent Number 5762246) and in view of Hironori and Misao (Japan Patent Publication Number 2002-240636). Shikler discloses the support member (36) including the front surface and the back surface (See Figures 1 & 1A).

However, Shikler does not disclose at least one pocket disposed on the front surface of the support member.

Drew teaches at least one pocket (6) disposed on the front surface of the support member (2) for the purpose of storing personal items. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make at least one pocket disposed on the front surface of the support member as taught by Drew with the portable media storage device of Shikler in order enhance maximize storage capabilities.

Shikler also discloses the support member (36) configured to releasably engage with the base (See Figures 1 & 1A).

However, Shikler does not disclose the base recessed within a passenger compartment side portion of a vehicle roof.

Hironori and Misao teaches the base (32) recessed within the passenger compartment side portion (See Figure 1) of the vehicle roof (10) (See Figures 2 & 3) for the purpose of finish appeal. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the base recessed within the passenger compartment side portion of the vehicle roof as taught by Hironori and Misao with the portable media storage device of Shikler in order to provide a flush finish appeal and allow alone the sun-visor to lay flat.

Regarding claim 37 as stated above, Drew discloses the pocket is configured to receive at least one of the CD, the DVD, the mini-disc, and the cassette therein (column 3, line 6 – 8 & column 3, line 14 - 18) (See Figure 1) for the purpose of storing personal items. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the pockets configured to receive at least one of the CD, the DVD, the mini-disc, and the cassette as taught by Drew with the portable media storage device of Shikler in order to allow the user to transport portable personal musical items.

Regarding claim 38 as stated above, Drew discloses at least one pocket (6) includes the plurality of pockets aligned one upon the other in an offset manner such that the portion of each pocket (6) is exposed relative to the consecutive pocket (6) (column 3, line 14 – 18) (See Figures 1 – 3 & 6) for the purpose of orderly storing personal items. . It would have been obvious to one having ordinary skill in the art at

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the time the invention was made to make at least one pocket include the plurality of pockets aligned one upon the other in an offset manner such that the portion of each pocket is exposed relative to the consecutive pocket as taught by Drew with the portable media storage device of Shikler in order to allow the user to transport portable personal musical items.

Regarding claim 39 as stated above, Drew discloses the support member (2) includes the storage pouch (8) (column 3, line 40 – 43) (See Figures 1 – 3 & 5) for the purpose of provided storage. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the support member include the storage pouch as taught by Drew with the portable media storage device of Shikler in order to provide optional storage capabilities.

Regarding claim 40 as stated above, Drew discloses the storage pouch (8) comprises of the mesh material (column 3, line 43 – 45) (See Figures 1 – 3 & 5) for the purpose of allowing the user to view items externally without removing items. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the storage pouch comprise of mesh material as taught by Drew with the portable media storage device of Shikler in order to allow items to be view externally.



Regarding claim 41 as stated above, Shikler discloses the back surface of the support member (36) includes at least one hook and loop fastener (38 & 40) configured to releasably engage with the corresponding fastener disposed on the base (24).

Regarding claim 42 as stated above, Shikler, Drew and Hironori and Misao disclosed the invention substantially as claimed.

However, Shikler, Drew and Hironori & Misao do not disclose the back surface of the support member including at least one magnetic fastener configured to releasably engage with a corresponding fastener disposed on the base. It would have been an obvious matter of design choice to include at least one magnetic fastener, since applicant has not disclosed that at least magnetic fastener solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with hook and loop.

Regarding claim 43 as stated above, Shikler, Drew and Hironori and Misao disclosed the invention substantially as claimed.

However, Shikler, Drew and Hironori & Misao do not disclose the back surface of the support member including at least one interlocking clip configured to releasably engage with a corresponding fastener disposed on the base. It would have been an obvious matter of design choice to include at least one interlocking clip, since applicant has not disclosed that at least magnetic fastener solves any stated problem or is for any

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particular purpose and it appears that the invention would perform equally well with hook and loop.

Regarding claim 44 as stated above, Shikler, Drew and Hironori and Misao disclosed the invention substantially as claimed.

However, Shikler, Drew and Hironori & Misao do not disclose the back surface of the support member including at least one magnetic fastener configured to releasably engage with a corresponding fastener disposed on the base. It would have been an obvious matter of design choice to include at least one snap, since applicant has not disclosed that at least snap solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with hook and loop.

17. Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shikler (U.S. Patent Number 5329947) in view of Drew (U.S. Patent Number 5762246) and in view of Hironori and Misao (Japan Patent Publication Number 2002-240636) as applied to claim 36 above, and further in view of Belanger (U.S. Patent Publication Number 2003 / 0213208 A1) and Houseberg (U.S. Patent Number 6932202). Shikler, Drew, and Hironori and Misao disclose the invention as claimed.

However, Shikler, Drew, and Hironori and Misao do not disclose the support member including a peripheral edge configured to be received in a c-channel disposed along an interior of an edge portion of the base so that the support member can slidably engage with the base.

Belanger teaches the support member (18) includes the peripheral edge configured to be received in a channel (44) (paragraph 0019) (See Figure 2), and wherein the support member (18) can slidably engage with the base (44) (See Figures 1, 2 & 9) (paragraph 0110) for the purpose of providing easy alignment. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the support member includes the peripheral edge as taught by Belanger with the storage device of Shikler in order to enhance easy alignment capabilities.

Houseberg teaches the c-channel (64) disposed along an interior of an edge portion of the base (12) (column 6, line 13 – 16) (See Figure 10) for the purpose of providing easy alignment. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the support member include peripheral edge configured to be received in the c-channel disposed along an interior of an edge portion of the base as taught by Houseberg with the storage device of Shikler in order to enhance easy of alignment.

18. Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shikler (U.S. Patent Number 5329947) in view of Drew (U.S. Patent Number 5762246) and in view of Hironori and Misao (Japan Patent Publication Number 2002-240636) as applied to claim 36 above, and further in view of Miller et al., (U.S. Patent Number 6176536). Shikler, Drew, and Hironori and Misao disclose the invention substantially as claimed.

However, Shikler, Drew and Hironori do not disclose the support member configured to be located and retained in the base by at least one retaining member

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disposed on an upper surface of an edge portion of the base and projecting over the edge portion toward an opposite edge portion of the base.

Miller et al., discloses the support member (62) configured to be located and retained in the base (20) by at least one retaining member (74 & 78) disposed on an upper surface of an edge portion of the base and projecting over the edge portion toward an opposite edge portion of the base (column 37, line 37 – 48) for the purpose of anchoring. It would have been obvious to one having ordinary skill in the art at the time the invention was made make the support member configured to be located and retained in the base by at least one retaining member disposed on an upper surface of an edge portion of the base and projecting over the edge portion toward an opposite edge portion of the base as taught by Miller et al., with the storage device of Shikler in order to enhance anchoring and securing products.

19. Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Masaki (Japan Publication Number 08-230568). Masaki discloses the vehicle including the storage device. See Figures 1 & 5.

20. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Masaki (Japan Publication Number 08-230568) as applied to claim 47 above, and further in view of Miller et al., (U.S. Patent Number 6176536). Masaki discloses the vehicle includes the headliner extending from the vehicle roof toward the passenger compartment and defining an interior surface of the roof of the passenger compartment,

wherein the base is recessed (15) within the headliner such that the surface of the base and the surface of the headliner are substantially flush. See Figures 1 – 6.

However, Masaki does not disclose the base configured to be releasably engaged with the support member.

Miller et al., teaches the base (18) configured to be releasably engaged with the support member (62) (column 34 – 39) (See Figure 2) for the purpose of providing functionality. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the base configured to be releasably engaged with the support member as taught by Miller et al., with the storage device of Shikler in order to increase functionality.

21. Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Drew (U.S. Patent Number 5762246). Drew discloses means to store recorded media (See Figure 1) and Drew also discloses means (20) to removably attached the means to store recorded media to a passenger compartment roof portion of the vehicle (column 2, line 55 – 58 & column 5, line 26 - 28). See Figure 9.

Examiner notes applicant is evoking 35 U.S.C. 112 6<sup>th</sup> paragraph in claim 49 by reciting “means for storing” recorded media, etc...

Examiner notes applicant is evoking 35 U.S.C. 112 6<sup>th</sup> paragraph in claim 49 by reciting, “means for removably” attaching, etc...

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Examiner notes applicant is evoking 35 U.S.C. 112 6<sup>th</sup> paragraph in claim 49 by reciting means for storing" recorded media to a passenger compartment roof portion of the vehicle.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lester L. Vanterpool whose telephone number is 571-272-8028. The examiner can normally be reached on Monday - Friday (8:30 - 5:00) EST.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Newhouse can be reached on 571-272-4544. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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April 18, 2006

  
**JES F. PASCUA**  
**PRIMARY EXAMINER**